

## CONFERENCE COMMITTEE SUBSTITUTE NO. 3

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 64

AN ACT

To repeal sections 160.041, 167.121, 171.031, and 171.033, RSMo, and to enact in lieu thereof five new sections relating to education.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,  
AS FOLLOWS:

1           Section A. Sections 160.041, 167.121, 171.031, and 171.033,  
2 RSMo, are repealed and five new sections enacted in lieu thereof,  
3 to be known as sections 160.041, 161.375, 167.121, 171.031, and  
4 171.033, to read as follows:

5           160.041. 1. The "minimum school day" consists of three  
6 hours in which the pupils are under the guidance and direction of  
7 teachers in the teaching process. A "school month" consists of  
8 four weeks of five days each. The "school year" commences on the  
9 first day of July and ends on the thirtieth day of June  
10 following.

11           2. Notwithstanding the provisions of subsection 1 of this  
12 section, the commissioner of education is authorized to reduce  
13 the required number of hours and days in which the pupils are  
14 under the guidance and direction of teachers in the teaching

process if:

(1) There is damage to or destruction of a public school facility which requires the dual utilization of another school facility; or

(2) Flooding or other inclement weather as defined in subsection 1 of section 171.033, RSMo, prevents students from attending the public school facility.

Such reduction shall not [to] extend beyond two calendar years in duration.

161.375. 1. The department of elementary and secondary education shall develop standards for high-quality mentoring for beginning teachers and beginning principals no later than June 30, 2008. The standards shall be applicable to all public schools and shall be developed to ensure that the required district mentoring programs under subsection 3 of section 168.021, RSMo, meet common objectives.

2. Such standards shall be established for both of the required years of mentoring under subsection 3 of section 168.021, RSMo, and shall be based upon, but not be limited to, the following principles:

(1) Every district shall have a teacher-driven mentor program in collaboration with and support of the administration;

(2) Guidance and support are required for all beginning teachers, regardless of when they enter the profession;

(3) Communication between mentors and beginning teachers is open and confidential;

(4) Quality mentors are necessary to establish beginning teachers' trust and respect for their colleagues and profession;

1 and

2 (5) All staff members provide informal support for  
3 beginning teachers.

4 3. Quality mentor programs shall include, but not be  
5 limited to, the following:

6 (1) An introduction to the cultural environment of the  
7 community and the school district;

8 (2) A systemic and ongoing evaluation by all stakeholders;

9 (3) An individualized plan for beginning teachers that  
10 aligns with the district's goals and needs;

11 (4) Appropriate criteria for selecting mentors;

12 (5) Comprehensive mentor training;

13 (6) A complete list of responsibilities for the mentor,  
14 beginning teacher, and administrators; and

15 (7) Sufficient time for mentors to observe beginning  
16 teachers and for the beginning teachers to observe master  
17 teachers, structured to provide multiple opportunities over time  
18 and to minimize the need to require substitute teachers to  
19 facilitate observation.

20 4. In developing such standards, the department shall  
21 involve representatives who are Missouri certified teachers,  
22 administrators, and others.

23 167.121. 1. If the residence of a pupil is so located that  
24 attendance in the district of residence constitutes an unusual or  
25 unreasonable transportation hardship because of natural barriers,  
26 travel time, or distance, the commissioner of education or his  
27 designee may assign the pupil to another district. Subject to  
28 the provisions of this section, all existing assignments shall be

1 reviewed prior to July 1, 1984, and from time to time thereafter,  
2 and may be continued or rescinded. The board of education of the  
3 district in which the pupil lives shall pay the tuition of the  
4 pupil assigned. The tuition shall not exceed the pro rata cost  
5 of instruction.

6 2. (1) For the school year beginning July 1, 2008, and  
7 each succeeding school year, a parent or guardian residing in a  
8 lapsed public school district or a district that has scored  
9 either unaccredited or provisionally accredited, or a combination  
10 thereof, on two consecutive annual performance reports may enroll  
11 the parent's or guardian's child in the Missouri virtual school  
12 created in section 161.670, RSMo, provided the pupil first  
13 enrolls in the school district of residence. The school district  
14 of residence shall include the pupil's enrollment in the virtual  
15 school created in section 161.670, RSMo, in determining the  
16 district's average daily attendance. Full-time enrollment in the  
17 virtual school shall constitute one average daily attendance  
18 equivalent in the school district of residence. Average daily  
19 attendance for part-time enrollment in the virtual school shall  
20 be calculated as a percentage of the total number of virtual  
21 courses enrolled in divided by the number of courses required for  
22 full-time attendance in the school district of residence.

23 (2) A pupil's residence, for purposes of this section,  
24 means residency established under section 167.020, RSMo. Except  
25 for students residing in a K-8 district attending high school in  
26 a district under section 167.131, RSMo, the board of the home  
27 district shall pay to the virtual school the amount required  
28 under section 161.670, RSMo.

1       (3) Nothing in this section shall require any school  
2 district or the state to provide computers, equipment, Internet  
3 or other access, supplies, materials or funding, except as  
4 provided in this section, as may be deemed necessary for a pupil  
5 to participate in the virtual school created in section 161.670,  
6 RSMo.

7       (4) Any rule or portion of a rule, as that term is defined  
8 in section 536.010, RSMo, that is created under the authority  
9 delegated in this section shall become effective only if it  
10 complies with and is subject to all of the provisions of chapter  
11 536, RSMo, and, if applicable, section 536.028, RSMo. This  
12 section and chapter 536, RSMo, are nonseverable and if any of the  
13 powers vested with the general assembly pursuant to chapter 536,  
14 RSMo, to review, to delay the effective date, or to disapprove  
15 and annul a rule are subsequently held unconstitutional, then the  
16 grant of rulemaking authority and any rule proposed or adopted  
17 after August 28, 2007, shall be invalid and void.

18       171.031. 1. Each school board shall prepare annually a  
19 calendar for the school term, specifying the opening date and  
20 providing a minimum term of at least one hundred seventy-four  
21 days and one thousand forty-four hours of actual pupil  
22 attendance. In addition, such calendar shall include six makeup  
23 days for possible loss of attendance due to inclement weather as  
24 defined in subsection 1 of section 171.033.

25       2. Each local school district may set its opening date each  
26 year, which date shall be no earlier than ten calendar days prior  
27 to the first Monday in September. No public school district  
28 shall select an earlier start date unless the district follows

1 the procedure set forth in subsection 3 of this section.

2 3. A district may set an opening date that is more than ten  
3 calendar days prior to the first Monday in September only if the  
4 local school board first gives public notice of a public meeting  
5 to discuss the proposal of opening school on a date more than ten  
6 days prior to the first Monday in September, and the local school  
7 board holds said meeting and, at the same public meeting, a  
8 majority of the board votes to allow an earlier opening date. If  
9 all of the previous conditions are met, the district may set its  
10 opening date more than ten calendar days prior to the first  
11 Monday in September. The condition provided in this subsection  
12 must be satisfied by the local school board each year that the  
13 board proposes an opening date more than ten days before the  
14 first Monday in September.

15 4. If any local district violates the provisions of this  
16 section, the department of elementary and secondary education  
17 shall withhold an amount equal to one quarter of the state  
18 funding the district generated under section 163.031, RSMo, for  
19 each date the district was in violation of this section.

20 5. The provisions of subsections 2 to 4 of this section  
21 shall not apply to school districts in which school is in session  
22 for twelve months of each calendar year.

23 6. The state board of education may grant an exemption from  
24 this section to a school district that demonstrates highly  
25 unusual and extenuating circumstances justifying exemption from  
26 the provisions of subsections 2 to 4 of this section. Any  
27 exemption granted by the state board of education shall be valid  
28 for one academic year only.

1        7. No school day shall be longer than seven hours except  
2 for vocational schools which may adopt an eight-hour day in a  
3 metropolitan school district and a school district in a first  
4 class county adjacent to a city not within a county.

5        171.033. 1. [Except as provided in subsections 3 and 4 of  
6 this section, no school district shall be exempt from any  
7 requirement to make up any days of school lost or canceled due to  
8 inclement weather, unless that school district schedules at least  
9 two-thirds as many make-up days for a school year as were lost in  
10 the previous school year, which days shall be in addition to the  
11 school calendar days required for a school term by section  
12 171.031] "Inclement weather", for purposes of this section, shall  
13 be defined as ice, snow, extreme cold, flooding, or a tornado,  
14 but such term shall not include excessive heat.

15        2. [If, after using the make-up days referred to in  
16 subsection 1, a district does not meet the requirement for a term  
17 of one hundred seventy-four days of actual pupil attendance, it]  
18 A district shall be required to make up [no more than eight  
19 additional] the first six days of school lost or canceled due to  
20 inclement weather and half the number of days lost or canceled in  
21 excess of [eight] six days.

22        3. In the 2005-06 school year, a school district may be  
23 exempt from the requirement to make up days of school lost or  
24 canceled due to inclement weather occurring after April 1, 2006,  
25 in the school district, but such reduction of the minimum number  
26 of school days shall not exceed five days when a district has  
27 missed more than seven days overall, such reduction to be taken  
28 as follows: one day for eight days missed, two days for nine

1 days missed, three days for ten days missed, four days for eleven  
2 days missed, and five days for twelve or more days missed. The  
3 requirement for scheduling two-thirds of the missed days into the  
4 next year's calendar pursuant to subsection 1 of this section  
5 shall be waived for the 2006-07 school year.

6 4. The commissioner of education may provide, for any  
7 school district in which schools are in session for twelve months  
8 of each calendar year that cannot meet the minimum school  
9 calendar requirement of at least one hundred seventy-four days  
10 and one thousand forty-four hours of actual pupil attendance,  
11 upon request, a waiver to be excused from such requirement. This  
12 waiver shall be requested from the commissioner of education and  
13 may be granted if the school was closed due to circumstances  
14 beyond school district control, including inclement weather,  
15 flooding or fire.

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23 Jack Goodman

Maynard Wallace